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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HHI INVESTMENT TRUST #2;

KING HARRIS, in his capacity as trustee of the HHI
Investment Trust #2, Pam F. Szokol Trust dated
02/18/93, William J. Friend Trust dated 06/22/95,
Scott C. Friend Trust of 1984 under Trust Agreement

Adv. Pro. No. 10-05404 (SMB)

dated 11/21/84, Bette D. Harris Grandchildren's Trust for the Children of Katherine Harris – Pam Friend Szokol under Trust Agreement dated 01/13/59, Bette D. Harris Grandchildren's Trust for the Children of Katherine Harris – William Friend under Trust Agreement dated 01/13/59, Bette D. Harris Grandchildren's Trust for the Children of King Harris – John B. Harris under Trust Agreement dated 01/13/59, Bette D. Harris Grandchildren's Trust for the Children of Toni Paul under Trust Agreement dated 01/13/59, Toni Harris Paul Children's Trust dated 12/15/76, and in his capacity as custodian for Charles Henry Paul Under the Illinois Uniform Gifts to Minors Act under Agreement dated 06/01/79, custodian for Kelly Lynn Paul Under the Illinois Uniform Gifts to Minors Act under Agreement dated 10/01/80, custodian for Alan Harris Paul Under the Illinois Uniform Gifts to Minors Act under Agreement dated 12/20/84, and custodian for Laurie Beth Paul Under the Illinois Uniform Gifts to Minors Act under Agreement dated 12/20/84;

KATHERINE P. HARRIS, in her capacity as trustee of the HHI Investment Trust #2, Bette D. Harris Grandchildren's Trust for the Children of Katherine Harris – Pam Friend Szokol under Trust Agreement dated 01/13/59, Bette D. Harris Grandchildren's Trust for the Children of Katherine Harris – William Friend under Trust Agreement dated 01/13/59, Bette D. Harris Grandchildren's Trust for the Children of King Harris – John B. Harris under Trust Agreement dated 01/13/59, Bette D. Harris Grandchildren's Trust for the Children of Toni Paul under Trust Agreement dated 01/13/59, King W. W. Harris Trust for Children under Trust Agreement dated 12/15/76, Toni Harris Paul Children's Trust dated 12/15/76, and in her capacity as custodian for John B. Harris Under the Illinois Uniform Gifts to Minors Act under Agreement dated 12/01/76;

TONI H. PAUL, in her capacity as trustee of the HHI Investment Trust #2;

DENISE SAUL, in her capacity as trustee of the King W. W. Harris Trust for Children under Trust

Agreement dated 12/15/76;

SIDNEY BARROWS, in his capacity as trustee of
the King W. W. Harris Trust for Children under
Trust Agreement dated 12/15/76;

THE HARRIS FAMILY FOUNDATION;

PAM F. SZOKOL TRUST;

WILLIAM J. FRIEND TRUST DATED 06/22/95;

SCOTT C. FRIEND TRUST OF 1984 UNDER
TRUST AGREEMENT DATED 11/21/84;

BETTE D. HARRIS GRANDCHILDREN'S
TRUST FOR THE CHILDREN OF KATHERINE
HARRIS – PAM FRIEND SZOKOL UNDER
TRUST AGREEMENT DATED 01/13/59;

BETTE D. HARRIS GRANDCHILDREN'S
TRUST FOR THE CHILDREN OF KATHERINE
HARRIS – WILLIAM FRIEND UNDER TRUST
AGREEMENT DATED 01/13/59;

BETTE D. HARRIS GRANDCHILDREN'S
TRUST FOR THE CHILDREN OF KING HARRIS
– JOHN B. HARRIS UNDER TRUST
AGREEMENT DATED 01/13/59;

BETTE D. HARRIS GRANDCHILDREN'S
TRUST FOR THE CHILDREN OF TONI PAUL
UNDER TRUST AGREEMENT DATED 01/13/59;

KING W. W. HARRIS TRUST FOR CHILDREN
UNDER TRUST AGREEMENT DATED 12/15/76;

TONI HARRIS PAUL CHILDREN'S TRUST
DATED 12/15/76;

KATHERINE HARRIS CUSTODIAN FOR JOHN
B. HARRIS UNDER THE ILLINOIS UNIFORM
GIFTS TO MINORS ACT UNDER AGREEMENT
DATED 12/01/76;

KING HARRIS CUSTODIAN FOR CHARLES

HENRY PAUL UNDER THE ILLINOIS
UNIFORM GIFTS TO MINORS ACT UNDER
AGREEMENT DATED 06/01/79;

KING HARRIS CUSTODIAN FOR KELLY LYNN
PAUL UNDER THE ILLINOIS UNIFORM GIFTS
TO MINORS ACT UNDER AGREEMENT
DATED 10/01/80;

KING HARRIS CUSTODIAN FOR ALAN
HARRIS PAUL UNDER THE ILLINOIS
UNIFORM GIFTS TO MINORS ACT UNDER
AGREEMENT DATED 12/20/84;

KING HARRIS CUSTODIAN FOR LAURIE
BETH PAUL UNDER THE ILLINOIS UNIFORM
GIFTS TO MINORS ACT UNDER AGREEMENT
DATED 12/20/84;

JOHN B. HARRIS;

CHARLES HENRY PAUL;

KELLY LYNN PAUL;

ALAN HARRIS PAUL; and

LAURIE BETH PAUL,

Defendants.

**STIPULATION AND ORDER FOR
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Defendants, by and through their counsel, Schulte Roth & Zabel LLP, (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 9, 2010, the Trustee filed the Complaint against Defendants (ECF No. 1).

2. On March 28, 2011, the Trustee filed the Amended Complaint against Defendants (ECF No. 2) and thereafter served the Amended Complaint on March 29, 2011.

3. On January 17, 2014, Defendants served an answer on the Trustee (ECF No. 26).

4. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [ECF No. 3181 in Adv. Pro. No. 08-01789 (SMB)], the Parties entered into a Settlement Agreement and Release effective January 6, 2016.

5. Pursuant to the terms of the Settlement Agreement and Release, and in accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims against Defendant in the above-captioned adversary proceeding and dismissing the adversary proceeding with prejudice.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: January 7, 2016

BAKER & HOSTETLER LLP

By: *s/Nicholas J. Cremona*

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Securities LLC and the Estate of Bernard L. Madoff*

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Attorneys for Defendants

SO ORDERED

Dated: January 7th, 2016
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE